

Dear Senators HEIDER, Nuxoll, Bock, and  
Representatives WOOD, Perry, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Bureau of Occupational Licenses - State Board of Massage Therapy:

IDAPA 24.27.01 - Rules Pertaining to the Idaho State Board of Massage Therapy - Proposed Rule  
(Docket No. 24-2701-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 08/27/2014. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/25/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee  
**FROM:** Legislative Research Analyst - Elizabeth Bowen  
**DATE:** August 08, 2014  
**SUBJECT:** Bureau of Occupational Licenses - State Board of Massage Therapy

IDAPA 24.27.01 - Rules Pertaining to the Idaho State Board of Massage Therapy - Proposed Rule (Docket No. 24-2701-1401)

The Board of Massage Therapy submits notice of proposed rulemaking at IDAPA 24.27.01. The proposed rule removes "light" as a continuing education content area because light is not included in the Idaho Code's defined practice area for massage therapy. The proposed rule also adds a new section clarifying the supervision required for clinical work and fieldwork.

There is no negative fiscal impact on the state general fund. The Board did not conduct negotiated rulemaking. The rule is consistent with the Board's rulemaking authority under Section 54-4007(3), Idaho Code.

cc: Bureau of Occupational Licenses - State Board of Massage Therapy  
Tana Cory

## IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

### 24.27.01 - RULES OF THE IDAHO STATE BOARD OF MASSAGE THERAPY

DOCKET NO. 24-2701-1401

#### NOTICE OF RULEMAKING - PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-4007, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 20, 2014.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rule change removes "light" as a continuing education content area as it is inconsistent with Idaho Code. A new section is being added that will clarify the supervision required for clinical work and fieldwork.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: NA

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the continuing education rules of the Board are being updated to remove light as approved continuing education content because it is not included in the defined practice of massage therapy. The Board is also clarifying the nature of supervision for massage students involved in school based clinical work and fieldwork for internships.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 27, 2014.

DATED this 9th day of July, 2014.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
700 W State Street  
P.O. Box 83720  
Boise, ID 83720-0063  
(208) 334-3233 fax  
(208) 334-3945 tel

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 24-2701-1401**  
**(Only those Sections being amended are shown.)**

**503. CONTENT OF CONTINUING EDUCATION.**

The content of continuing education activities and course content must be germane to the practice of massage therapy as defined in Section 54-4002, Idaho Code, and courses in ethics must also be specific to legal issues, law, standards of practice, or ethics. (3-27-13)

**01. Continuing Education.** Content germane to the practice of massage therapy includes, but is not limited to: (3-27-13)

**a.** Applications of massage and bodywork therapy for specific needs, conditions, or client populations. (3-27-13)

**b.** Client assessment protocols, skills for client record keeping, strategies for interfacing with other health care providers. (3-27-13)

**c.** Use of external agents such as water, ~~light~~, sound, heat, cold, or topical applications of plant or mineral-based substances. (~~3-27-13~~)( )

**d.** Body-centered or somatic psychology, psychophysiology, or interpersonal skills which may include communication skills, boundary functions, dual relationships, transference, counter-transference, and projection. (3-27-13)

**e.** Standards of practice, professional ethics, or state laws. (3-27-13)

**f.** Strategies for the marketing of massage and bodywork therapy practices. (3-27-13)

**g.** Theory or practice of ergonomics as applied to therapists or clients. (3-27-13)

**h.** Hygiene, methods of infectious disease control, organization and management of the treatment environment. (3-27-13)

**i.** Body sciences, which may include anatomy, physiology, kinesiology or pathology, as they apply to massage therapy. (3-27-13)

**j.** Certified CPR or first aid training. (3-27-13)

**(BREAK IN CONTINUITY OF SECTIONS)**

**601. SUPERVISION.**

**01. Supervision Of Clinical Work.** The supervising massage therapist must consult with the student, evaluate student performance and be physically present and available to render direction in person and on the premises where massage therapy is being provided. ( )

**02. Supervision of Fieldwork.** The supervising massage therapist must be available to render direction either in person or by means of telecommunications but is not required to be physically present on the premises where massage therapy is being provided. ( )